

Message Text

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PAGE 01 STATE 136144
ORIGIN EB-08

INFO OCT-01 EUR-12 ISO-00 L-03 JUSE-00 AID-05 CEA-01
CIAE-00 COME-00 EA-12 FRB-01 INR-10 IO-14 NEA-11
NSAE-00 ICA-20 OPIC-06 SP-02 TRSE-00 LAB-04
SIL-01 AGRE-00 OMB-01 SS-15 FTC-01 /128 R

DRAFTED BY EB/IFD/BP:T A SCHLENKER:BT
APPROVED BY EB/IFD/BP:HARVEY J. WINTER
EUR/NE:D GOODMAN
L/EB:C ROH
JUSTICE:J CURLEY
EUR/RPE:R LA MANTIA

-----013783 301601Z /47

P R 301541Z MAY 78
FM SECSTATE WASHDC
TO AMEMBASSY LONDON PRIORITY
INFO AMEMBASSY PARIS
AMEMBASSY BRUSSELS

UNCLAS STATE 136144

USOECN-USEEC

E.O. 11652:N/A

TAGS: ETRD, US, UK

SUBJECT: ANTITRUST: INVESTIGATION OF LICENSING ARRANGEMENTS

1. DEPARTMENT OF JUSTICE HAS INFORMED DEPARTMENT THAT
QUOTE THE ANTITRUST DIVISION IS CURRENTLY INVESTIGATING
POSSIBLE ANTICOMPETITIVE ASPECTS OF LICENSING ARRANGEMENTS
AMONG NATIONAL RESEARCH DEVELOPMENT CORPORATION
OF GREAT BRITAIN, COURTAULDS LTD. OF GREAT BRITAIN AND
HERCULES, INC. OF THE UNITED STATES. THE ARRANGEMENTS
IN QUESTION INVOLVE LICENSE AGREEMENTS RESTRICTING THE
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MANUFACTURE AND SALE OF CARBON FIBERS.

2. QUOTE PURSUANT TO THIS INVESTIGATION, THE ANTITRUST
DIVISION PROPOSES TO SEND TO NATIONAL RESEARCH DEVELOPMENT
CORPORATION, A REQUEST FOR THE VOLUNTARY PRODUCTION
OF DOCUMENTS CONSISTING OF EXHIBITS OFFERED IN EVIDENCE
BY THE FIRM IN A RECENTLY SETTLED PATENT INFRINGEMENT

SUIT, THE TRANSCRIPT OF TESTIMONY FROM THAT LITIGATION, THE SETTLEMENT AGREEMENT AND RELATED DOCUMENTS, AND TWO ADDITIONAL DOCUMENTS WHICH APPEAR TO BEAR ON THE ANTI-TRUST ISSUE. UNQUOTE.

3. THE TRIAL IN QUESTION WAS HELD IN DELAWARE BUT THE EXHIBITS IN EVIDENCE AND SOME OF THE OTHER DOCUMENTS ARE

NOT AVAILABLE IN THE US. JUSTICE WILL EXPLAIN IN DETAIL EXACTLY WHAT DOCUMENTS IT IS REQUESTING. THE LETTER TO NATIONAL RESEARCH DEVELOPMENT CORPORATION WOULD NOT BE SENT BEFORE JUNE 2. EMBASSY IS REQUESTED TO INFORM HOST GOVERNMENT OF THE ABOVE UNDER PROVISIONS OF THE 1967 OECD RECOMMENDATION AND REPORT ANY REACTION. VANCE

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Message Attributes

Automatic Decaptioning: X
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Disposition Event:
Disposition History: n/a
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Drafter: T A SCHLENKER:BT
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Review Withdrawn Fields: n/a
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